

LEO DROZDOFF, *Administrator*

State of Nevada
KENNY C. GUINN
Governor

ALLEN BIAGGI, *Director*

(775) 687-4670
Administration
Facsimile 687-5856

Water Quality Planning
Water Pollution Control
Facsimile 687-4684

Mining Regulation & Reclamation
Facsimile 684-5259



Air Pollution Control
Air Quality Planning
Facsimile 687-6396

Waste Management
Federal Facilities

Corrective Actions
Facsimile 687-8335

NDEP.nv.gov

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
DIVISION OF ENVIRONMENTAL PROTECTION

333 W. Nye Lane, Room 138
Carson City, Nevada 89706

NOTICE OF PROPOSED ACTION
December 03, 2004

Bureau of Water Quality Planning

Draft Total Maximum Daily Loads for Walker Lake, November 2004

On October 16, 2001, Mineral County and the Walker Lake Working Group filed a civil action in federal district court against EPA under the Clean Water Act alleging that the EPA had failed to take necessary steps to save Walker Lake. On November 22, 2002, the parties entered into a Consent Decree agreeing to the following actions:

1. If Nevada fails to include Walker Lake on the 2002 303(d) List for total dissolved solids (TDS), EPA will either:
 - a. Determine that Walker Lake needs to be listed for TDS and amend Nevada's 303(d) List; or
 - b. Determine that Walker Lake need not be listed for TDS and provide a copy of its decision to the Plaintiffs.
2. If Walker Lake is placed on Nevada's 2002 303(d) List for TDS, EPA agrees to establish a Walker Lake TDS TMDL by March 15, 2005, unless Nevada establishes and EPA approves a TMDL prior to March 15, 2005.

Prior to the issuance of the Consent Decree, the Nevada Division of Environmental Protection (NDEP) had already included Walker Lake on its 2002 303(d) List (dated October 2002). After discussions with EPA, NDEP agreed to develop the following Walker Lake TDS TMDL in accordance with the Consent Decree. In the event that the NDEP TMDL is not approved by March 15, 2005, EPA will establish the Walker Lake TMDL. For this reason, NDEP and EPA are co-noticing this TMDL at this time.

The Division and EPA are issuing this Public Notice and soliciting public comment on this draft TMDL prior to its final issuance. Hard copies of *Draft Total*

Maximum Daily Loads for Walker Lake, November 2004 can be obtained by contacting the Bureau of Water Quality Planning at the address below:

•
Nevada Division of Environmental Protection
Bureau of Water Quality Planning
333 West Nye Lane
Carson City, Nevada 89706

Electronic copies of the TMDL document can be obtained from the NDEP website at <http://ndep.nv.gov/bwqp/tmdl.htm>.

Written or E-mailed public comments should be submitted to NDEP-BWQP by 5:00 p.m. Friday, January 7, 2005. Questions or comments should be directed to:

Randy Pahl, P.E.
Nevada Division of Environmental Protection
Bureau of Water Quality Planning
333 W. Nye Lane, Room 138
Carson City, Nevada 89706
(775) 687-9453
Email: rpahl@ndep.nv.gov